

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v.-

CARL CARR,

Defendant.

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ORDER OF FORFEITURE

S2 06 Cr. 1179 (KTD)

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WHEREAS, on or about October 9, 2007, CARL CARR, (the "defendant"), was charged in a thirty-five count Indictment S2 06 Cr. 1179 (RJH) (the "Indictment"), with, among other things, conspiracy to commit bank fraud, wire fraud and mail fraud in violation of 18 U.S.C. § 1349 (Count One);

WHEREAS, the Indictment included a forfeiture allegation, pursuant to 18 U.S.C. § 982, seeking forfeiture to the United States of all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses alleged in the Indictment;

WHEREAS, on or about November 10, 2008, the defendant pled guilty before Magistrate Judge Kevin Nathaniel Fox to Count One of the Indictment pursuant to a plea agreement with the Government wherein the defendant admitted the forfeiture allegation and agreed to forfeit a sum of money equal to \$1,000,000.00 in United States currency;

WHEREAS, on or about December 8, 2008, United States Court Judge Richard J. Holwell ordered that the defendant's guilty plea before Magistrate Judge Kevin Nathaniel Fox on November 10, 2008, be accepted;

WHEREAS, on or about February 4, 2012, United States Court Judge Kevin Thomas Duffy was reassigned to the case;

WHEREAS, on or about October 23, 2012, the defendant was sentenced and ordered to forfeit, pursuant to 18 U.S.C. § 982, a money judgment in the amount of \$1,000,000.00 in United States Currency, representing the amount of proceeds obtained as a result of the offense to which the defendant pled guilty;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offense charged in Count One of the Indictment, to which Carl Carr, the defendant, pled guilty, a money judgment in the amount of \$1,000,000.00 is entered against the defendant (the "Money Judgement").

2. Pursuant to Rule 32.2(b)(4)(A) of the Federal Rules of Criminal Procedure, this Order of Forfeiture shall be final as to the defendant, upon entry of this order, and shall be made part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. Pursuant to Rule 32.2(b)(3) of the Federal Rules

of Criminal Procedure, upon entry of this Order of Forfeiture the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of the property, including depositions, interrogatories, requests for production of documents and to issue subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

4. All payments on the outstanding judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

5. Upon execution of this Order of Forfeiture and pursuant to Title 21, United States Code, Section 853, the United States Marshals Service shall be authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

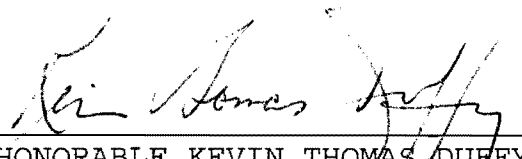
6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

7. The Clerk of the Court shall forward three certified copies of this Order of Forfeiture to Assistant United

States Attorney Sharon Cohen Levin, United States Attorney's
Office, One St. Andrew's Plaza, New York, New York 10007.

Dated: New York, New York
October 23, 2012

SO ORDERED:


HONORABLE KEVIN THOMAS DUFFY
UNITED STATES DISTRICT JUDGE

